

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

Docket No. 19 Cr. 912 (PAE)

ALBERT O. GRANT, II

Defendant

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ORDER PURSUANT TO 21 U.S.C. SEC. 853(n)

WHEREAS, on or about December 18, 2019, ALBERT O. GRANT, II (the "Defendant"), was charged in a three-count Information, 19 Cr. 912 (PAE) (the "Information"), with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); wire fraud, in violation of Title 18, United States Code, Section 1343 (Counts Two and Three);

WHEREAS, the Information included a forfeiture allegation as to Counts One through Three of the Information seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28 United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the wire fraud conspiracy charged in Count One, and the wire frauds charged in Counts Two, and Three of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Three of the Information;

WHEREAS on or about April 30, 2019 a seizure warrant was issued by Magistrate Judge Kevin Nathaniel Fox, authorizing the seizure of any and all currency on deposit in account number 9340073848 at Citibank, N.A., held in the name of Albert O. Grant II, Esq. (the "Citibank Account") DE 21;

WHEREAS, on or about May 29, 2019, a seizure warrant was issued by Magistrate Judge Gabriel W. Gorenstein, authorizing the seizure of any and all funds, up to \$299,985.00 in United States currency, on deposit in account number 151079645667 at J.P. Morgan Chase Bank, N.A., held in the name of Albert O. Grant II, Esq. (the "Chase Account");

WHEREAS, the Government seized \$2,532,958.48 in United States currency from the Citibank Account and \$299,985.00 in United States currency from the Chase Account (collectively, the "Specific Property");

WHEREAS, on or about December 20, 2019, the Defendant pled guilty to Counts One

through Three of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One through Three of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c): a sum of money in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts One through Three of the Information; and

WHEREAS, the Defendant consented to the entry of a money judgment in the amount of \$160,000.00 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts One through Three of the Information that the Defendant personally obtained;

WHEREAS, the Defendant further consented to the forfeiture of all his right, title and interest in the Specific Property which constitute proceeds of the offenses charged in Counts One through Three of the Information;

WHEREAS, the Defendant admitted that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Three of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence, with the exception of the Specific Property; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

WHEREAS, it is uncontested that Defendant misappropriated \$316,699.00 of the funds of crime victim, Ivar Goldart ("Goldart"), for his own purposes under the Wire Fraud Count Three of the information and has agreed that he owes restitution of that amount to Petitioner, DE 18 p. 1.

WHEREAS, pursuant to Title 21, U.S.C., Section 853(n), Goldart petitioned for a hearing to adjudicate the validity of his alleged interest in the property seized, and the Government by Jilan J. Kamal, Assistant United States Attorney Complex Frauds & Cybercrimes for the United States Attorney's Office of the Southern District of New York stated that it had no intention of opposing Grant's application, and the record reflects that as of the date of this Order there is no record of any objection to Goldart's petition;

IT IS NOW ADJUDGED, ORDERED AND DECREED THAT:

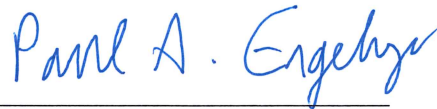
- Petitioner Ivar Goldart has established a legal interest in \$316,699.00 in certain Specified Property forfeited by Defendant Grant; and

- The Chief of Money Laundering And Asset Recovery Section of the United States Department of Justice, the Government or its designee is directed to pay out the restitution in the amount of \$316,699 from the identified "Specific Property" to Petitioner Ivar Goldart.

The Clerk of Court is requested to terminate the motion at Dkt. No. 33.

Dated: New York, NY

October 13, 2022



PAUL A. ENGELMAYER, U.S.D.J.